

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

KATINA M. RAY,

Plaintiff,

v.

**MICHAEL J. ASTRUE,
COMMISSIONER OF SOCIAL SECURITY,**

Defendant.

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**No. 3:09-CV-120
(Phillips/Guyton)**

MEMORANDUM OPINION

This Social Security appeal is before the Court on the report and recommendation (“R&R”) filed by United States Magistrate Judge H. Bruce Guyton [Doc. 17]. There have been no timely objections to the R&R, and enough time has passed since the filing of the R&R to treat any objections as having been waived. See 28 U.S.C. § 636(b)(1); Fed.R.Civ.P. 72(b).

After a careful review of this matter, the Court is in complete agreement with the magistrate judge’s conclusion that plaintiff’s Motion for Judgment on the Pleadings [Doc. 11] be denied, and that defendant Commissioner’s Motion for Summary Judgment [Doc. 15] be granted. Accordingly, the Court **ACCEPTS IN WHOLE** the R&R [Doc. 17] under 28 U.S.C. § 636(b)(1) and Fed.R.Civ.P. 72(b).

It is **ORDERED**, for the reasons stated in the R&R [Doc. 17], that plaintiff's Motion for Judgment on the Pleadings [Doc. 11] is **DENIED**, and that defendant Commissioner's Motion for Summary Judgment [Doc. 15] is **GRANTED**. Accordingly, the Commissioner's decision denying plaintiff's application for benefits under the Social Security Act is **AFFIRMED**, and this case is **DISMISSED**.

ENTER:

s/ Thomas W. Phillips
United States District Judge